

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

REINKE MANUFACTURING CO., INC.,)
a Nebraska Corporation,)

Plaintiff,)

4:11CV3193

v.)

GEORGE S. PERRY, An Individual,)
MURRAY M. WINSLOW, An Individual,)
and M&S IRRIGATION SERVICE, INC., a)
North Carolina Corporation,)

Defendants.)

MEMORANDUM AND ORDER

The court's order dated March 13, 2012, states:

On or before April 3, 2012, M&S Irrigation Service, Inc. shall obtain the services of substitute counsel and have that attorney file an appearance on its behalf, and defendants George S. Perry and Murray M. Winslow shall either: (1) obtain the services of substitute counsel and have that attorney file an appearance on their behalf; or (2) file a statement notifying the court of their intent to litigate this case without counsel. The failure to comply with this order may result in the entry of default against the non-complying defendant(s) without further notice.

Filing No. 25.

Defendant Perry complied with the order; defendants Winslow and M & S Irrigation did not. Entry of default against defendants Winslow and M & S Irrigation is warranted at this time. Defendants Winslow and M & S Irrigation will be afforded an opportunity to explain why a default judgment should not be entered against them for the full amount of damages alleged in the plaintiff's complaint.

Accordingly,

IT IS ORDERED:

- 1) A default is hereby entered against defendant Murray M. Winslow and against defendant M&S Irrigation Service, Inc.

- 2) Defendants Murray M. Winslow and M&S Irrigation Service, Inc. are given until July 9, 2012 to submit a brief and/or evidence explaining why a default judgment should not be entered against them for the full amount of damages alleged in the plaintiff's complaint, in the absence of which the court will deem the damage allegations of the complaint unopposed and will enter a default judgment accordingly without further notice or a hearing.
- 3) A copy of this memorandum and order shall be mailed to defendants Murray M. Winslow and M&S Irrigation Service, Inc. at the addresses set forth in filing no. 26.
- 4) The clerk shall enter a case management deadline of July 10, 2012 to check on the status of this case.

DATED this 16th day of June, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge